

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ANDREA MELISANDE ALTHEIMER,

Petitioner,

v.

BELINDA STEWART,

Respondent.

CASE NO. C05-1580-RSM

ORDER DISMISSING § 2254  
PETITION WITH PREJUDICE

The Court, having reviewed petitioner's federal habeas petition, the Report and Recommendation of Monica J. Benton, United States Magistrate Judge, the Objections thereto, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation.
- (2) Petitioner's petition for writ of habeas corpus is DISMISSED, with prejudice, under 28 U.S.C. § 2244(d).
- (3) The Clerk is directed to send copies of this Order to petitioner, to counsel for respondent, and to Judge Benton.

DATED this 8th day of September, 2006.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

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